

UNITED STATES DISTRICT COURT
IN THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION

NC-WC LP
Plaintiff

v.

Civil Case No. 3:06-cv-WKW-SRW

DAVID STIVARIUS *et, al.*
defendants

MOTION FOR CONFIRMATION OF JUDICIAL FORECLOSURE

Plaintiff files this report as per Order dated May 1, 2007. On December 28, 2006 Plaintiff filed its Motion for Entry of Judicial Foreclosure. On January 9th, 2007 this Court Ordered that on or before January 23, 2007 the defendants shall show cause in writing why the motion should not be granted and the Plaintiff's proposed order for entry of judicial foreclosure should not be entered. Defendant Internal Revenue Service on January 23, 2007 filed a response that it had no objection to the foreclosure and further clarified its consent in its supplemental response filed on January 25, 2007. No other defendant filed a response. Plaintiff then filed a notice of judicial foreclosure on January 31, 2007 attaching the notice of mortgage foreclosure sale advertisement and all parties were served with this notice. An amended notice of judicial foreclosure was filed on February 13, 2007 and all parties were served with this notice. A report of the sale was then filed with the Court and all parties were served.

Attached to this motion is a letter dated May 1, 2007 in which defendant Al Fleming sets out that he has no objection to the entry of judicial foreclosure and an order being entered confirming the sale. Delta Properties has filed an answer setting out that it has no objection to the entry of judicial foreclosure and an order confirming the sale.

Whereas, Plaintiff respectfully requests this Court in accordance with the consent of the parties to this action enter an order for judicial foreclosure and confirming the mortgage foreclosure sale conducted on March 21, 2007.

Respectfully Submitted,



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CERTIFICATE OF SERVICE

I hereby certify that I have this the 14th of May, 2007 served a copy of the foregoing upon all of the interested parties by mailing a copy of same, first class, postage prepaid, address as follows:

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